

**COMMONWEALTH OF MASSACHUSETTS**  
**State Building Code (780 CMR) Appeals Board**  
**Board's Ruling on Appeal<sup>1</sup>**

**Docket No. 08-664**

Appellant(s): Dennis C. Rieske                      vz.      Appellee(s): City/Town of Cambridge  
                         representing 10 Hilliard Street                                      David Byrne  
                         Condominium Trust

**Procedural History**

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from 780 CMR 1025.1.3, for 10 Hilliard Street, Cambridge, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on November 25, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant, representing the 10 Hilliard Street Condominium Trust, appeared and testified for the hearing. Others were present as well as shown on the sign in sheet on file at the Department of Public Safety.

**Discussion**

After testimony was heard on the previous wooden and current steel fire escape for this building, a motion was made to deny the Appellant's request for a variance from 780 CMR 1025.1.3 and not allow a ladder to grade to be installed in place of the counter-balanced drop-down stair section that is incorporated into the current design. There was a second on the motion and a board vote was taken, which was unanimous.

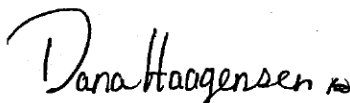
**Conclusion**

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**The Appellant's request for a variance from 780 CMR 1025.1.3, is hereby denied and so ordered<sup>2</sup> on this date: November 25, 2008.**



Douglas Semple



Dana Haagenen



Alexander MacLeod

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<sup>1</sup> This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

<sup>2</sup> In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.